



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
KNOXVILLE ENVIRONMENTAL FIELD OFFICE
DIVISION OF WATER POLLUTION CONTROL
3711 MIDDLEBROOK PIKE
KNOXVILLE, TN 37921
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August 16, 2012

Mr. John Harrison, President
Sweetwater Valley Farms
17988 West Lee Hwy.
Philadelphia, TN 37846

RE: Compliance Evaluation Inspection (CEI)
Sweetwater Valley Farms
NPDES Number TNA000033
Loudon County

Dear Mr. Harrison:

On August 7, 2012, Bryan Epperson and Hassan Sanaat, with the Tennessee Division of Water Pollution Control, conducted a **Compliance Evaluation Inspection (CEI)** to review Sweetwater Valley Farms' compliance with **NPDES Permit Number TNA000033**. Sweetwater Valley Farms President John Harrison was on-site and able to provide responses and necessary information to conduct the inspection. As a result of the inspection, the following comments have been noted.

Records & Reports

The **General NPDES Permit for Concentrated Animal Feeding Operations (CAFO's)**, which provided coverage for Sweetwater Valley Farms, expired on August 5, 2009. The Division of Water Pollution Control issued the **Individual State Operating Permit for Class I Animal Feeding Operations** that are designed, constructed, operated or maintained such that a discharge could occur on October 29, 2010. **Section 2.1.1** of the permit allowed existing CAFO's until November 1, 2011, to submit an application for coverage under this permit. A new **Nutrient Management Plan (NMP)** should have been submitted by February 1, 2012. The Notice of Intent was signed on July 29, 2010, and was received in the Nashville office, via e-mail, on March 21, 2012.

Sweetwater Valley Farms continues to operate under the conditions and terms of the old, Individual Permit and Nutrient Management Plan, as the facility is undergoing construction and design modifications for new buildings and waste management structures. Any dairy with more than 700 cows qualifies as a **Class I** operation that requires an individual CAFO permit. According to the records on file, Sweetwater Valley Farms has not had any discharges, which would include a hose/pipe break when pumping out the holding ponds. Because there have been no discharges, Sweetwater Valley Farms has the option of the following: 1) Individual State Operating Permit (SOP), which meets Tennessee requirements or 2) Individual NPDES Permit, which meets Tennessee and federal requirements. Either permit would be written and administered by the Division. The Individual NPDES Permit would afford a level of protection from the EPA, in the event of a discharge that results from a storm event greater than a 25-year, 24-hour storm. **You should contact Erin O'Brien at (615) 253-2245, as soon as possible, to indicate which permit coverage is best for Sweetwater Valley Farms.**

The **Site Specific Nutrient Management Plan (NMP)** for Sweetwater Valley Farms requires that an Annual Report be submitted to the Division of Water Pollution Control and the Tennessee Department of Agriculture between January 1st and February 15th for the previous calendar year. This plan outlines what records must be maintained and submitted in the Annual Report. A copy of the previous years' Annual Report was not available for review. **40 CFR 122.42(e)(4)** requires that all NPDES permitted CAFO's submit an Annual Report to the permitting authority and failure to do so is a violation of the NPDES permit. Mr. Harrison did have up-to-date crop and nutrient worksheets and current liquid manure and solid manure analyses on file. An inspection of the records and reports on file revealed weekly inspections of pond levels, precipitation amounts, land application records and location of applied manure, as per the Nutrient Management Plan. It was noted that a gap in the record-keeping occurred from June 24, 2012, to the present. The June 24, 2012, date coincided with the start-up of another one of Mr. Harrison's dairies, and record-keeping suffered. It was discussed on-site about the importance of keeping accurate, up-to-date records and reports.

The existing NMP for mortality management for Sweetwater Valley Farms is burial. According to Mr. Harrison, the preferred method of disposing of mortalities is through the Loudon County Landfill, with burial as a secondary option. He stated that his new, NMP would designate landfill as his method of mortality management. TDEC rules allow for the disposal of dead farm animals in Class I landfills in Tennessee. It is recommended that documentation of receipt from the landfill be kept for inspection purposes.

Facility Site Review

The facility site review involved evaluating the production areas, manure management and site management. During the inspection, the following observations were noted.

On the day of the inspection, the weather conditions were sunny and dry. The production area includes Pens 1-4, Pens 5 and 8 (Feed Barn), Pen 7 and the milking parlor. The waste generated from these areas flows to three concrete, settling basins. Sand is used to help remove solids before the liquid is collected in the last basin and pumped to the existing holding ponds. Solids are removed at the settling basins and stored under a covered barn for partial drying and land application.

The two existing holding ponds will be removed under the new NMP. A three and one-half million gallon holding pond has been excavated approximately 3500 feet to the north of the dairy. This pond is ready to receive waste. The location of this pond is such that there is no potential for a discharge to Waters of the State, as Pond Creek is approximately 2/3 mile away from the pond. The new pond will be accessed by a pump from the existing, three concrete settling basins. There is also a new Emergency Retention Pond that has been excavated below the existing, concrete settling basins. This pond is part of the new NMP. It is a grass-lined retention pond to be used, in case of pump failure to the large pond to the north of the property. This pond is not yet complete. It has passed compaction tests, but Shelby Tube Test results are not complete.

During the inspection, it was noted that there was a small area of concrete on which cows traveled from the pens to the hospital. This area was susceptible to storm water run-off. There is a high potential for storm water to mix with waste and leave the site, even though good housekeeping procedures are being implemented. Mr. Harrison said that this area of concern has been addressed in the new NMP. The area in question will be converted into a catch basin and diverted to the existing, concrete settling basins.

The run-off from the roofs of Pens 5 and 8 and the springer barn is mixing with the feed. This contaminated storm water is standing in the access road between the two buildings. Diversion of clean water is specified by **40 CFR 122.42(e)(1)(i-ix)**. Mr. Harrison has a recommendation from NRCS to pour and raise the road, which will divert the run-off to the settling basins. This has been included in Mr. Harrison's new NMP.

The roof line over Pen 7 does not extend fully over the feed area. It is recommended to extend the roof line or gutter the roof to prevent feed-contaminated water from leaving the site. Diversion of clean water is specified by **40 CFR 122.42(e)(1)(i-ix)**.

Currently, there are no depth markers in the two existing holding ponds. Depth markers are a requirement, as per **40 CFR 412.37(a) and (b)**. The new NMP for the new pond has a requirement for depth markers and the appropriate freeboard. A set of plans for the new pond was on site for review.

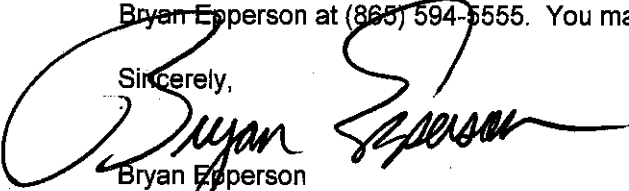
The feed storage area was neatly maintained. The silage storage area showed some evidence of a small amount of leachate leaving the site. Best management practices are being utilized by catching the leachate in a drainage ditch and diverting it to a holding pond. In case of overflow, there is another pond for emergency purposes.

During the inspection, there was no evidence of recent spills from any chemicals or pesticides. General housekeeping at Sweetwater Valley Farms is good.

In conclusion, Sweetwater Valley Farms is presently in a transition period of transferring permit coverage from a General NPDES Permit to either an Individual State Operating Permit or an Individual NPDES Permit. The Nutrient Management Plan is also being changed to reflect the dairy's current operations. The facility is currently being operated under the old permit and NMP. Sweetwater Valley Farms should provide the Division with a new Notice of Intent (NOI) and a new NMP by **September 10, 2012**. The Division understands that these documents are completed, or nearly completed. It is imperative that this documentation be submitted as soon as possible, so as to assure that Sweetwater Valley Farms does not operate without a permit.

If you have any questions concerning this inspection or if you need any further assistance, please call Bryan Epperson at (866) 594-5555. You may also e-mail at bryan.epperson@tn.gov.

Sincerely,



Bryan Epperson
Environmental Specialist
Division of Water Pollution Control

Cc: Sam Marshall, TN Dept. of Agriculture
John Donaldson, Consultant
Files (Sweetwater Valley Farms, Loudon County)

Water Compliance Inspection Report

Section A: National Data Coding (i.e., PCS)

Transaction	Code	NPDES	yr / mo / dy	Inspection Type	Inspector	Facility Type
N	5	T N 0 0 0 0 3 3	1 2 0 8 0 7	C	S	3

Remarks

[illegible]

Section B: Facility Data


Name and Location of Facility Inspected (For industrial users discharging to POTW, also include POTW name and NPDES permit number) Sweetwater Valley Farms 17988 West Lee Hwy Philadelphia, TN 37846	Entry Time / Date 10:15 A.M. 8/07/2012	Permit Effective Date
	Exit Time / Date 2:45 P.M. 8/07/2012	Permit Expiration Date August 5, 2009
Name(s) of Onsite Representative(s) / Title(s) / Phone and Fax Number(s) John Harrison, President (865) 659-7831	Other Facility Data	
Name, Address of Responsible Official / Title / Phone and Fax Number John Harrison, President 17988 West Lee Hwy Philadelphia, TN 37846	Contacted <input checked="checked" type="checkbox"/> Yes <input type="checkbox"/> No	

Section C: Areas Evaluated During Inspection (Check only those areas evaluated)

	Permit		Flow Measurement	X	Operation & Maintenance	-	CSO / SSO (Sewer Overflow)
X	Records / Reports		Self-monitoring Program	X	Sludge Handling	-	Pollution Prevention
X	Facility Site Review		Compliance Schedule	-	Pretreatment Program	-	Multimedia
	Effluent / Receiving Waters		Laboratory	-	Storm Water	-	Other:

Section D: Summary of Findings / Comments (Attach additional sheets of narrative and checklists as necessary)

Copy of inspection report attached

Name (s) and Signature(s) of Inspector(s) Bryan Epperson 	Agency / Office / Phone and Fax Numbers Tennessee Division of Water Pollution Control (865) 594-5555	Date 8/16/12
Signature of Management Q A Reviewer Woody Smith	Agency / Office / Phone and Fax Numbers Tennessee Division of Water Pollution Control (865) 594-5521	Date